

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.2425 of 2018
and W.M.P.No.2935 of 2018

P.Gopalakrishnan

...Petitioner

Vs.

1. The Director of Handlooms and Textiles
(Functional Registrar Tamilnadu Co-operative Societies Act)
Office of the Director of Handlooms and Textiles
Chennai - 600 108.

2. The Assistant Director Handlooms and Textiles,
Office of the Assistant Director of Handloom and Textiles
Erode.

3. The Management of Myladi Weavers Co-operative Society
Ltd,Rep. By its President
Myladi Weavers Co-operative Society Ltd.,
Chennimalai,Erode District ... Respondents

PRAYER

Writ Petition filed under Article 226 of the
Constitution of India to issue a writ of certiorarified
mandamus to call for all the records pertaining to the
order passed by the third respondent through its letter
dated 10.01.2018 and quash the same and directing the
respondents not to demote the petitioner from his Manager
post to Head Clerk post.

For Petitioner : M/s.R.Nasrine

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader
for Co-operative Society

O R D E R

The order impugned dated 10.01.2018 was issued by the
President of the third respondent Co-operative Society.
This apart, the order impugned states that after receiving
the legal opinions from the Government Pleader, High Court,
further actions to be initiated in respect of the reversion
of the writ petitioner.

2. First of all, no writ can be entertained against the Co-operative Society registered under the provisions of the Tamilnadu Cooperative Societies Act, 1983. In view of the fact that the Co-operative Society is not a State in the meaning of Article 12 of Constitution of India. Secondly, the impugned order is not an order affecting the right of the writ petitioner. No cause of action is established from and out of the impugned order passed by the President of the third respondent cooperative society dated 10.01.2018.

3. Thus, the writ petitioner is not an aggrieved person in the eye of law and in the event of any order affecting the service rights of the writ petitioner is passed then the petitioner is at liberty to exhaust the remedies available under the Tamilnadu Co-operative Societies Act and therefore, the present writ petition reserves no consideration on merits and accordingly, this writ petition stands dismissed as not maintainable. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

msv

To

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(Functional Registrar Tamilnadu Co-operative Societies Act)
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Chennai - 600 108.

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Erode.

3. The Management of Myladi Weavers Co-operative Society
Ltd,
Rep. By its President
Myladi Weavers Co-operative Society Ltd.,
Chennimalai, Erode District

+1cc to Mr.L.P.Shanmugasundaram , Advocate SR.No. 10152
+1 CC TO GOVERNMENT PLEADER SR.NO. 10741

W.P.No.2425 of 2018
and W.M.P.No.2935 of 2018

A.SK(15/03/2019)